

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-1312-L)

PATENT

In application of:)	
)	
Kopreski)	Before the Examiner:
)	F. Lu
Serial No. 10/684,633)	
)	Group Art Unit: 1634
Filed: October 14, 2003)	
)	
For: Detection of Tumor RNA in Plasma or Serum)	

TERMINAL DISCLAIMER

Petitioner, **ONCOMEDX INC.**, is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent Nos. 6,916,634; 6,759,217; and 6,939,671. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent Nos. 6,916,634; 6,759,217; and 6,939,671 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent Nos. 6,916,634; 6,759,217; and 6,939,671, as presently shortened by any terminal disclaimer, in the event that U.S. Patent Nos. 6,916,634; 6,759,217; and 6,939,671 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

The undersigned representative has reviewed the assignment documents in the chain of title from the original owner to the assignee and certifies that, to the best of the undersigned's knowledge and belief, title is in the assignee seeking to take the action.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that

these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATE March 15, 2007

By: /Kevin E. Noonan/
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Title

for

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